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No. of Pgs. <u>17</u>

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

BRADLEY D. LAMPKINS

Plaintiff,

v.

CENTER OF SCIENCE AND  
INDUSTRY

(COSI)

Defendant.

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Civil Action No.

2:24-cv-3026

Judge Edmund A. Sargus

Magistrate Judge Peter B. Silvain, Jr.

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**Any Federal Question Under 28 USCS § 1331**

**Civil Rights Complaint Under 42 USCS § 1983**

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Bradley D. Lampkins

1580 State Route 56

London, Ohio 43140

lampkinsbradley630@gmail.com

**PLAINTIFF**

Center of Science and Industry (COSI)

333 West Broad Street

Columbus, Ohio 43215

**DEFENDANT**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
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BRADLEY D. LAMPKINS

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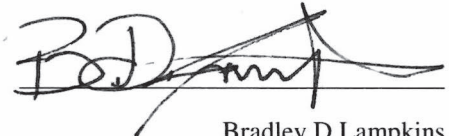
**Civil Rights Complaint Under 42 USCS § 1983**

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Now comes the Plaintiff, Bradley D. Lampkins, Pro-Se, urging this court to reward him with \$1,000,000.00 (One Million Dollars) for multiple violations of a contract between the above mentioned parties. Furthermore, we raise a few Federal Questions in this lawsuit and Civil Rights complaints against this entity.

A complaint is attached with the issues mentioned in this motion.

Respectfully Submitted,



Bradley D Lampkins

1580 State Route 56

London, Ohio 43140

Lampkinsbradley630@gmail.com

## Introduction

Dealing with photography, media law, contracts, rights to photos, etc., are very difficult things to handle especially when minors are involved. Not only is this law a complex entity, it protects citizens from Breach of Contracts, Violation Civil Rights, and other actions that could possibly affect a person's day to day life. That is what we have here in this matter.

Minors are often the biggest target to model or "Market" a product to attract their age group and vice versa if older people were the target group to market vehicles. The difference is, the adults are paid for those commercials, or "Marketing Strategies" and may sometimes receive compensation and/or royalties for their work and the continuity of the ad. These people don't sell the rights to their voice, their smile, and or their reactions. Which presents the first question in this matter; "*Why do minors not get the same treatment?*" Historically, minors get paid a small amount at the beginning of a contract and see no royalties or they have to "sell" or relinquish the right to their photos and/or work.

Adults, on the other hand can make the best financial decision for themselves in whether a lump sum of money will be beneficial or royalties for the remainder of the ad/or the Marketing Tool will be sufficient for payment for their work. Minors, have no say at what is best for them, instead, that input comes from the parents. Entities take advantage of the parents and minors by suggesting "selling the rights" or a minimal amount for something that they use for years to gain revenue; which is presented here in this matter.

### *Statement of Facts*

The Plaintiff was a minor at the time of this contract or lack thereof, and his photos are still published on the website for Center of Science and Industry's (COSI) Website, in the facility and in their pamphlets. Continuing to be used as a marketing tool many years later. These events started in the year of 2005 and still go on<sup>1</sup>. COSI is still currently profiting from the Plaintiffs photos as their marketing tool along with many other children that are listed. Nonetheless, this is a lawsuit focused on the Plaintiff and the violation of his Civil Rights.

### **§ 1983. Civil action for deprivation of rights**

A Civil Rights violation stem from the rights set forth in the United States Constitution for any and every Citizen in the United States of America. Many of these rights are violated on a daily basis to some degree in the same token, a lot of those violations go unnoticed or disproven by someone or some entity that has the authority to vote or render a decision that can set precedence for the next individual.

"Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia."<sup>2</sup>

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<sup>1</sup> The images are provided as Plaintiffs Exhibit 1-2.

<sup>2</sup> 42 U.S.C.S. 1983 (LexisNexis, Lexis Advance through Public Law 118-51, approved April 24, 2024, with a gap of Public Law 118-50)



The blatant cause for bringing a civil action against this entity is simply because they deprived the Plaintiff of Rights to Compensation and the Breach of a Contract or lack thereof. COSI has not provided any proof of any contract, relinquishing of rights or anything that shows that the plaintiff is not entitled to compensation for the work that he has completed for the entity. Though it is years later, since the photographs have never been taken down, changed, and or/replaced with others, it is a continuous violation of the Plaintiffs Constitutional Rights.

“When we speak of a person having a right, we must necessarily refer to a civil right as distinguished from the elemental idea of rights absolute. We must have in mind a right given and protected by law, and a person's enjoyment thereof is regulated entirely by the law which creates it. If we were to consider these rights as absolute, nothing but chaos could result”<sup>3</sup>

When a right is violated, a person may be reimbursed, compensated, or be granted any form of relief that may be applicable. A right and privilege are both being violated in this situation. Furthermore, there has been a FOIA (Freedom of Information Acts) request sent this entity dated (April 16, 2024) that has yet to be answered by COSI. Lack of the information provided only shows that none of the documentation exist to substantiate that there was either a contract between the parties, relinquishing of rights to the photos of the plaintiff.

For years, COSI has been profiting from Mr. Lampkins’ photographs, using him as a marketing tool, and not providing him any compensation. A person in the United States has a right to be compensated for the work that they do. Compensation doesn’t specifically mean being an employee of a company but can refer to royalties, stakes, or a lump sum of money which may contain a percentage of the anticipated sales or revenue of a company. Marketing is one of the most important factors that play into the success of business.

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<sup>3</sup> BALLENTINE'S LAW DICTIONARY

Marketing in so many words can be defined as a tool or technique used in business that targets and introduce a product and/or service to the public. While determining who you market your product or service to, you “target” or gear your commercials, pamphlets, social media post towards the people who you want to buy your product or service. To my knowledge, COSI is both a product and service that used Mr. Lampkins to portray how fun and exciting it could be if you came to their location and participated in their activities. Plaintiff not only appears on their website on two different pamphlets, but in their original pamphlets, a placard hanging in the location under “Big Science Center”, and other videos on YouTube as well.

Mr. Lampkins, and many other people portrayed in these photos target the parents of the children they want to come to their location. They exemplify the excitement that one could have at COSI, shows how COSI is interactive and there is an exhibit for everyone. Which leads to the people buying tickets, hosting events at schools, and other locations to exhibit the greatness of this entity. All of these funds provide the funding for the company which inevitably gets spent on marketing. The company has been using the photos of Mr. Lampkins and possibly others for the past 20 years; not because they don’t have money to do new marketing strategies but because these photos, videos, and placards work. At what point do we determine how much someone is to be compensated for being a big part of a business plan but also a bigger part to the community by portraying that “COSI is the place to go if you love science” all through photographs and videos; a Marketing Strategy and Technique.”

The basis laid out above is the sole reason the plaintiff is filing this suit. The profitability off of his photographs and videos that exemplify why parents should take their children to enjoy all exhibits at the Center of Science and Industry.

### **§ 1331. Any Federal Question**

The questions we are faced with every day is “what is ethically right and wrong?” or just simply what is the difference between right and wrong. The question that ill refer too is “*why do minors no get the same treatment?*” The sole fact that COSIs marketing strictly involves minors on their website, pamphlets, and other marketing tools to turn bring customers to their entity. Which leads to sales, profits, and success while the people who play a large role in customer attraction do not receive anything. At what point do “Minors in Media” deserve; more emphatically, reserve the right to be entitled for compensation for the work that they do if they continuously are being used to help a business gain profit, especially for the past 20 years.

Do minors or at least if they are minors in the photos reserve the right to gain compensation for their work if there is no proof of contract, relinquishing of rights or the selling of the photo to the company? These entities are not only taking advantage of minors but in a sense exploiting them whether for business or not. It creates irreparable harm to the person in the photo. This entity is doing just that and gaining customers by the day based off of the Plaintiff, and others; their marketing tools.

### **Relief Requested**

Plaintiff is asking this court to award him \$1,000,000.00 (One Million Dollars) for the continuous violation of his rights and the fact that COSI is using his photos, and videos that he appears in without a contract, or proof of contract and/or relinquishing the rights of his photos and/or videos.

### **ATTACHMENTS**

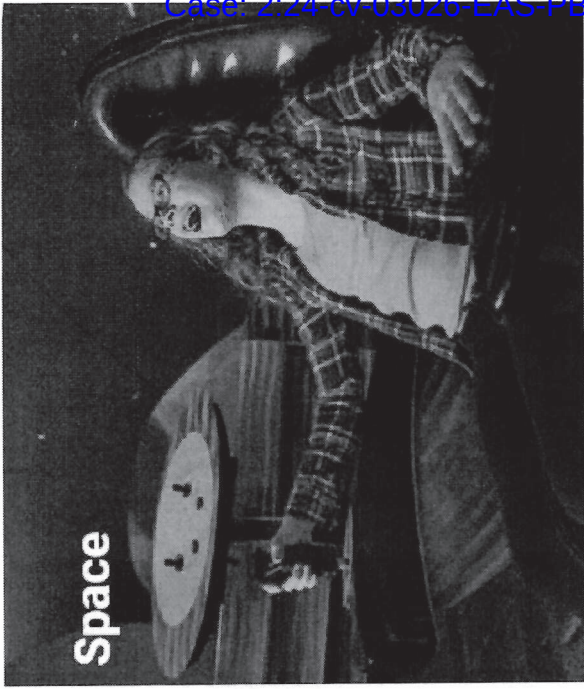
1. COSI Website- Big Science Park
2. COSI Website- Exhibits
3. FOIA Request- April 16, 2024



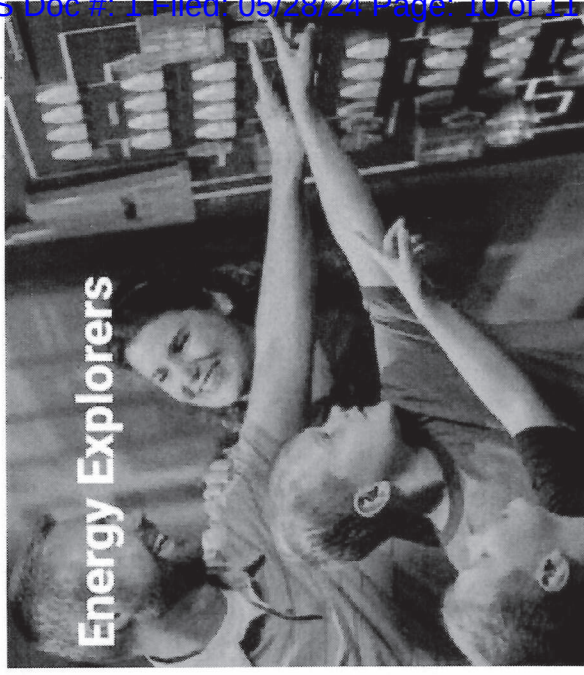




## Space



## Energy Explorers

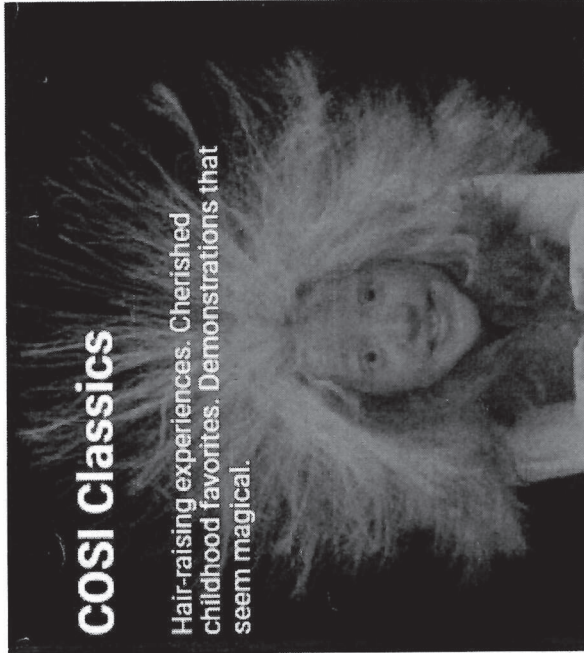


## Life



## COSI Classics

Hair-raising experiences. Cherished childhood favorites. Demonstrations that seem magical.



## Big Science Park



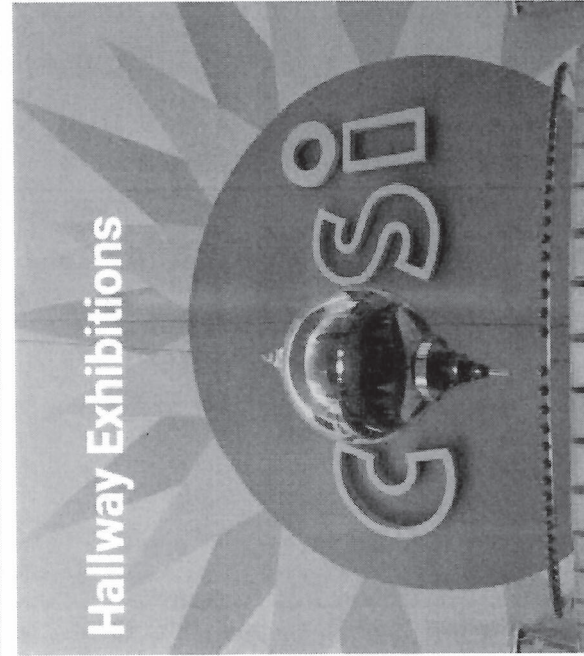
## Little Kidspace®



## Planetarium



## Hallway Exhibitions



## Live Shows





April 16, 2024

BRADLEY D. LAMPKINS

1580 State Route 56

London, Ohio 43140

COSI Science Center

ATTN: Legal Department

333 West Broad Street

Columbus, Ohio 43215

Re: FOIA Request

To whom it may concern:

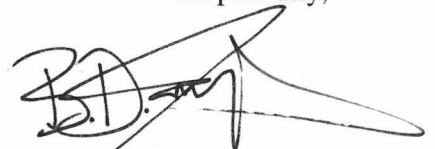
I am writing in concern to retrieving any and all information regarding any contracts, papers, electronic communications, in regards to my name as listed above; Bradley Dion Lampkins.

I am in search for any records pertaining pictures that is used on your website, in your location involving me. At the time, I was a minor and my representative was my father, Blythe D. Lampkins who acted on my behalf. The Modeling Agency was CAM Talent in Columbus, Ohio. The reason for this request is to find where I had relinquished the rights to my photos to your company; COSI Science Center in Columbus, Ohio.

Furthermore, I am interested in the time frame from January 1, 2005-Current in my records request. These items, if located, can be returned to me at the address listed above. I do understand some information may need to be redacted or limited information may be shared with me.

Thank you for your time and cooperation.

Respectfully,

A handwritten signature in black ink, appearing to read 'B.D. Lampkins', with a long horizontal flourish extending to the right.

Bradley D. Lampkins

Exhibit- I